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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/699,714	11/03/2003	James P. Elwell	P06014US00	3550
22885	7590	03/08/2005	EXAMINER	
MCKEE, VOORHEES & SEASE, P.L.C. 801 GRAND AVENUE SUITE 3200 DES MOINES, IA 50309-2721			SAWHNEY, HARGOBIND S	
			ART UNIT	PAPER NUMBER
			2875	

DATE MAILED: 03/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

CT

Office Action Summary	Application No.		Applicant(s)	
	10/699,714		ELWELL, JAMES P.	
	Examiner		Art Unit	
	Hargobind S. Sawhney		2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 November 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 12 is/are allowed.
- 6) ☒ Claim(s) 1 and 6 is/are rejected.
- 7) ☒ Claim(s) 2-5 and 7-11 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Tin Kao (US Patent No.: 5,798,691).

Tin Kao ('691) discloses a combination (Figure 1) comprising:

- a vehicle A having a grill opening receiving a grill A3 at the front of a vehicle (Figure 1, column 3, lines 49-51);
- a light electric circuit 40 (Figure 4A, column 3, lines 44 and 45);
- the grill A3 mounted within the grill opening (Figure 1);
- the grill comprising a plate like material having a front face, a rear face and a plurality of grill holes (Figure 1);
- a light 30 mounted to the grill A3 (Figure 4A, column 3, lines 44 and 51), and the light being connected to the electrical circuit 40 (Figure 4A) capable of selectively actuating the light 30 (Figure 4A, column 3, lines 57 and 65);

- a grill- light wire extending from the grill light 30 and electrically connected to the electrical circuit 40 (Figure 4A, column 3, lines 57-59); and
- the electrical circuit 40 actuating the grill light 30 simultaneously with the selective actuation of the one vehicle light (Figure 1 and 3, column 3, lines 61-65).

Allowable Subject Matter

3. Claims 2-5 and 7-11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The prior art of record, including Tin Kao (US Patent No.: 5,798,691), does not show or suggest the applicant's invention as claimed. Specifically, the prior art of record does not disclose a vehicular lighting system combining:

- a light mounted within one of the grill holes defined in a plate-like structure of the grill plate as recited in claims 2 and 7.

The above-indicated combination including: a typical positioning of a light within one of the plurality of holes as detailed above, makes this invention unique. Further, this invention allows electrical wiring and connecting to the electrical circuit from the rear surface of the grill. Wire routing and its connections to the electrical circuitry behind the grill would optimize wiring, and environmentally protect the electrical circuitry in a cost effective manner.

Tin Kao ('691) discloses a combination comprising a vehicle having a grill installed at the front of the vehicle, and including a plurality of holes. In addition Tin Kao ('691) teaches a light assembly mounted externally to the grill. However, Tin Kao ('691) does not teach the light positioned within one of the grill openings. Thus, Tin Kao ('691) does not meet the limitations of claims 2 and 7.

Therefore claims 2 and 7 are objected over prior art.

Claims 3-5 and 3 are necessarily objected because of their dependency on the objected base Claim 2.

Claims 8-10 are necessarily objected because of their dependency on the objected base Claim 7.

4. Claim 12 is allowed.

The prior art of record, including Tin Kao (US Patent No.: 5,798,691), does not show or suggest the applicant's invention as claimed. Specifically, the prior art of record does not disclose a vehicular lighting system combining:

- a light mounted within one of the grill holes defined in a plate-like structure of the grill plate as recited in Claim 12.

The above-indicated combination including: a typical positioning of a light within one of the plurality of holes as detailed above, makes this invention unique. Further, this invention allows electrical wiring and connecting to the electrical circuit from the rear surface of the grill. Wire routing and its connections to the electrical circuitry behind the grill would optimize wiring, and environmentally protect the electrical circuitry in a cost effective manner.

Tin Kao ('691) discloses a combination comprising a vehicle having a grill installed at the front of the vehicle, and including a plurality of holes. In addition Tin Kao ('691) teaches a light assembly externally mounted to the grill. However, Tin Kao ('691) does not teach the light positioned within one of the grill openings. Thus, Tin Kao ('691) does not meet the limitations of Claim 12.

Therefore, Claim 12 is allowed over prior art.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Galliner et al. (U.S. Patent No. 6,238,070 B1 B1), Moore (U.S. Patent No. 6,190,026 B1) O'Sullivan (U.S. Patent No. 5,373,426) and Haun et al. (U.S. Patent No. 5,188,445)

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hargobind S Sawhney whose telephone number is 571 272 2380. The examiner can normally be reached on 6:15 - 2:45.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on 571 272 2378. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HSS
3/1/05



Sandra O'Shea
Supervisory Patent Examiner
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